



Entered on Docket
June 15, 2010

A handwritten signature in dark ink, appearing to read "L. B. Riegler", is written over a horizontal line.

Hon. Linda B. Riegler
United States Bankruptcy Judge

WILDE & ASSOCIATES
Gregory L. Wilde, Esq.
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Las Vegas, Nevada 89107
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Wells Fargo Bank, N.A.
10-70231

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Tyler John Matthew Palmberg and Summer
Christine Palmberg

Debtors.

BK-S-09-34438-lbr

Motion No. 13
Date: April 12, 2010
Time: 10:00

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefore.

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will file a
 2 Chapter 13 plan that provides for the following arrears pursuant to Amended Proof of Claim which
 3 amends Proof of Claim number 2 filed on April 1, 2010 by Secured Creditor:

4	10 Monthly Payments at \$1,316.35	\$13,163.50
5	(July 1, 2009 - April 1, 2010)	
6	5 Late Charges at \$54.42	\$272.10
7	(July 1, 2009 - April 1, 2010)	
8	Property Preservation	\$30.00
9	Escrow Shortage	\$864.75
10	Foreclosure Fees and Costs	\$700.00
11	Motion for Relief Filing Fee	\$150.00
12	Attorneys Fees	\$750.00
13	Accrued Late Fees	\$217.68
14	Less Ck# 1585 dated 5/21/10	(\$758.20)
15	Less Ck# 1579 dated 5/7/10	(558.20)
16	Suspense Amount	(\$933.65)
17	Total	\$13,897.98

12 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall
 13 resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy
 14 Plan, beginning with the May 1, 2010, payment, on Secured Creditor's Trust obligation,
 15 encumbering the subject Property, generally described as 1443 Basin View Circle , Las Vegas, NV
 16 89123, and legally described as follows:

17 LOT FORTY-EIGHT (48) IN BLOCK TWO (2) OF MCGUIRE PROPERTY, AS
 18 SHOWN BY MAP THEREOF ON FILE IN BOOK 46 OF PLATS, PAGE 12, IN THE
 19 OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY NEVADA.


20 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make
 21 any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured
 22 Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file
 23 and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of
 24 Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an
 25 attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth
 26 (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this
 Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may
 thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable
 State Law, and take any action necessary to obtain complete possession thereof.

1 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall
2 give Debtors at least five business days' notice of the time, place and date of sale.

3
4 Submitted by:

5 WILDE & ASSOCIATES

6
7 By

8 
9 GREGORY L. WILDE, ESQ.
Attorneys for Secured Creditor
212 South Jones Boulevard
Las Vegas, Nevada 89107

10 APPROVED AS TO FORM & CONTENT:

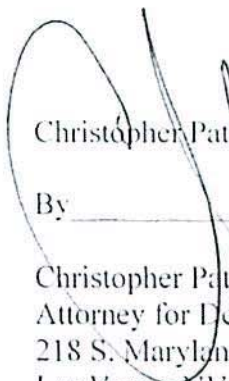
11 Kathleen A. Leavitt

12 By

13 
14 Kathleen A. Leavitt
Chapter 13 Trustee
201 Las Vegas Blvd. So., #200
15 Las Vegas, NV 89101

16 Christopher Patrick Burke

17 By

18 
19 Christopher Patrick Burke
Attorney for Debtors
218 S. Maryland PKY
20 Las Vegas, NV 89101

21 Nevada Bar No. _____
22
23
24
25
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In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

☐ The court waived the requirements of LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☐ No parties appeared or filed written objections, and the trustee is the movant.

☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Debtor's counsel:

☒ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☒ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.

Debtor's counsel:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor